

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21300 of 2020**

Arising Out of PS. Case No.-87 Year-2019 Thana- KALER District- Jehanabad

SUMIT KUMAR Son of Radha Krishna House No. 704, Lane No. 1, Sant
Nagar, P.S.- Central Faridabad, District- Faridabad (Hariyana).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Babita Kumari, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 01-07-2020 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by office within three weeks
after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Kaler P.S. Case No. 87 of 2019 Excise
Case No. 1402/2019 registered for the offences under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner has got no concern with the alleged recovery of illicit
liquor and has falsely been implicated in this case. Learned
counsel submits that petitioner has got no criminal antecedent
and he is in custody since 19.12.2019.



Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner who has no criminal antecedent as stated in paragraph '3' of the application and has remained in jail for more than six months and the trial is not likely to be concluded in near future, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Jehanabad in connection with Kaler P.S. Case No. 87/2019, Excise Case No. 1402/2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

The petitioner is a resident of State of Harayana, at least one of the bailors must be a local resident of this State.

This application is allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

